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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,493	02/21/2001	Allan Henrik Suonpera	004770.00621	6757
22907 7590 04/28/2009 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051				
EXAMINER				
PAN, YUWEN				
ART UNIT		PAPER NUMBER		
2618				
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04/28/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

09/788,493

Applicant(s)

SUONPERA ET AL.

Examiner

YUWEN PAN

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 60-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 60-90 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/11/09 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 60-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Littig et al (US005524276A, hereinafter Littig) in view of Ishigami (US006625445B1).

Per claim 60, Littig discloses a method comprising: establishing, at a computing device (see figure 4A, item 401), a connection between a first mobile communication device (see item 401) and the computing device; receiving, at a computing device, a user selection (see figure 6A, user keys in and send protocols) of personalized information (repertory directory, and feature set) to transfer from the first mobile communication device to the computing device, and wherein the selection is received prior to initiating transfer of the personalized information (see figure 7 and corresponding paragraphs); and receiving, at the computing device, the personalized information

transferred from a memory of the first mobile communication device to a memory of the computing device (see figure 7 and item 707). Littig does not teach that the personalized information includes at least one of: settings of the first mobile communication device, a calendar, a phonebook and a message. Ishigami teaches data transfer between a mobile phone and a computer wherein the data is phone directory (see figure 1 item 104, column 3 and lines 47-57). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to ensure that all the user personal information would be saved and transfer to the computer.

Same arguments apply, *mutatis mutandis*, to claims 68, and 74.

Per claim 78, Ishigami discloses a method performed by a computing device (see figure 1 and item 20) comprising: receiving a request to write previously stored personalized information stored at the computing device to a mobile communication device (see figure 1 and item 10) see figure 6, DATA TRANSFER RQ); displaying a list of a plurality of personalized information previously stored at the computing device, , a calendar, a phonebook (phone directories) and a message (see column 4 and lines 30-48); receiving a selection of the previously stored personalized information from the plurality of previously stored personalized information (see column 5 and lines 39-column 6 and lines 40, receiving search for phone directories information); and sending the selected previously stored personalized information to the mobile communication device (see figure 6 and corresponding paragraphs). Ishigami does not expressly teach that the plurality of previously stored personalized information includes at least one of: settings of the mobile communication device. Littig teaches a mobile communication device is

able to transfer its information to another one and later the another one is able to transfer data information back to the mobile communication device (see figure 4A and 4C, and corresponding paragraphs). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to backup information and later retrieve it back.

Same arguments apply, *mutatis mutandis*, to claims 83 and 87.

Per claim 61, Ishigami further teaches that the established connection is a wire-based data connection (see figure 1 item 107 and 206).

Same arguments apply, *mutatis mutandis*, to claim 69.

Per claim 62, Littig further teaches that the selection of the personalized information is received by a data transfer application executing on the computing device (see figure 6E and corresponding paragraphs).

Same arguments apply, *mutatis mutandis*, to claim 70, 75.

Per claim 63, Littig further teaches sending the personalized information to a second mobile communication device (see figure 4c, item 405).

Same arguments apply, *mutatis mutandis*, to claim 71

Per claim 64, Littig further teaches evaluating, at the computing device, the second mobile communication device's capabilities (power) to receive the personalized information; and modifying, at the computing device, the personalized information in accordance with the second

mobile communication device's capabilities prior to sending the personalized information to the second mobile communication device (see column 2 and lines 13-26).

Same arguments apply, *mutatis mutandis*, to claims 72, 76, 79, 84, and 88.

Per claim 65, Littig further teaches that the second mobile communication device's capabilities include a data field size (20 repertory directories) of a data record for storing the personalized information (see column 8 and lines 16-21, see figure 6E and item 648).

Same arguments apply, *mutatis mutandis*, to claims 73, 77, 80, 85 and 89.

Per claim 66, Littig further teaches modifying the personalized information includes truncating the personalized information to fit within the data field size of the second mobile communication device (see figure 6E, item 649, only 20 repertory locations are copied to the second mobile communication device).

Same arguments apply, *mutatis mutandis*, to claim 81, 86 and 90.

Per claim 67, Littig further teaches modifying the personalized information includes modifying (converting) a data type of the personalized information (see figure 6E and item 638).

Same arguments apply, *mutatis mutandis*, to claim 82.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YUWEN PAN whose telephone number is (571)272-7855. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yuwen Pan/
Primary Examiner, Art Unit 2618